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PTO/SB/05 (08-00)

Approved for use through 10/31/2002 OMB 0651-0032

U S Patent and Trademark Office, U S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. MBX 041
First Inventor Stephanie Aquin
Title Production of Medium Chain Length
Polyhydroxyalkanoates from Fatty Acid Biosynthetic
Express Mail Label No. EL 855357479

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages]
a. ☒ Unexecuted declaration (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. ☒ CD-ROM or CD-R (2 copies); or
ii. ☒ paper
c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.

Prior application information.

Examiner

Group / Art Unit.

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

Name Patrea L. Pabst
Holland & Knight LLP
Address 2000 One Atlantic Center
1201 West Peachtree Street
City Atlanta State GA Zip Code 30309-3400
Country USA Telephone 404-817-8473 Fax 404-817-8588

Name (Print/Type) Zhaoyang Li Registration No. (Attorney/Agent) 46,872
Signature [Signature] Date November 16, 200

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 535

Complete if Known

Application Number	
Filing Date	11/16/2001
First Named Inventor	Stephanie Aquin
Examiner Name	
Group Art Unit	
Attorney Docket No.	MBX 041

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1868
 Deposit Account Name: Holland & Knight LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	370.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
29	-20 = 9	9	81
5	-3 = 2	42	84
		51	165

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 165.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Zhaoyang Li	Registration No. (Attorney/Agent)	46,872	Telephone	404-817.8531
Signature		Date	11/16/2001		

Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephan Aquin, Oliver P. Peoples and Kristi D. Snell

Serial No.: Express Mail Label No.: EL 855357479 US

Filed: November 16, 2001 Date of Deposit Novem ber 16, 2001

For: PRODUCTION OF MEDIUM CHAIN LENGTH POLYHYDROXY-
ALKANOATES FROM FATTY ACID BIOSYNTHETIC PATHWAYS

Assistant Commissioner
for Patents
Washington, D.C. 20231

**EXPRESS MAIL TRANSMITTAL LETTER
FOR PATENT APPLICATION AND CERTIFICATE OF MAILING**

Sir:

Pursuant to 35 U.S.C. § 21(a) as amended by Public Law 97-247 and 37 C.F.R. § 1.10, applicants enclose for filing the attached patent application entitled "*Production of Medium Chain Length Polyhydroxy Alkanoates From Fatty Acid Biosynthetic Pathways*", which claims priority to U.S.S.N. 60/249,535 filed November 17, 2000. The application includes 1 page of Abstract, 36 pages of specification, 3 pages of claims, 6 sheets of informal drawings, 14 pages of Sequence Listing, and an unexecuted Declaration. An executed Declaration, and Assignment to Metabolix, Inc. and a Statement Under 37 C.F.R. § 3.73(b) will be submitted shortly. A check in the amount of \$535.00 to cover the filing fee is enclosed.

This application is entitled to small entity status under 37 C.F.R. § 1.27.

This application is being filed on November 16, 2001 by mailing the application to the Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10. The Express

Mail label number appears in the heading of this paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

This application contains nucleic acid and/or protein sequences as defined in 37 C.F.R. § 1.821-1.825. Pursuant to 37 C.F.R. § 1.821-1.825, applicants enclose a 3½" diskette containing a computer-readable form of the Sequence Listing for the above-identified application. A paper copy of the Sequence Listing is incorporated into the application.

I declare that the material on the diskette is identical to the paper copy of the Sequence Listing present in the above-identified application, and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Order Account No. 501868. To facilitate this process, applicants have enclosed a duplicate of this letter.

Title: "Production of Medium Chain Length Polyhydroxyalkanoates From Fatty Acid Biosynthetic Pathways"
Filed: November 16, 2001
Express Mail Transmittal Letter for
Patent Application and Certificate of Mailing
Express Mail Label No. EL 855357479
Date of Deposit: November 16, 2001

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
Holland & Knight, LLC
One Atlantic Center
1201 West Peachtree Street
Suite 2000
Atlanta, Ga 30309-3400

Respectfully submitted,



Zhaoyang Li
Reg. No. 46,872

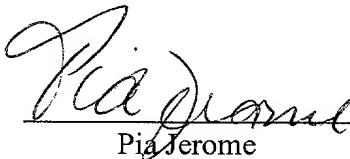
Date: November 16, 2001

Patrea L. Pabst, Esq.
Holland & Knight, LLC
One Atlantic Center
1201 West Peachtree Street
Suite 2000
Atlanta, Ga 30309-3400
(404) 817-8473
(404) 817-8588 Telefax

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Express Mail Transmittal Letter for Patent Application and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, November 16, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 855357479 US, addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: November 16, 2001


Pia Jerome

ATL1 #494468 v1